

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. MJ21-333
v.)
DONOVAN STARKS) DETENTION ORDER
Defendant.)

Offenses charged:

1. Production of Child Pornography
 2. Travel to Engage in Illicit Sexual Conduct

Date of Detention Hearing: June 9, 2021.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. §3142(f) and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 1. Defendant has been charged with an offense involving a victim under the age of
03 18 under 18 U.S.C. § 2251. There is therefore a rebuttable presumption against defendant as
04 to both dangerousness and flight risk, under 18 U.S.C. § 3142(e)(3)(E). Defendant traveled to
05 the Western District of Washington to commit the alleged offense, which involved engaging in
06 sex acts with a minor aged 13 years old and videoing those sex acts. According to law
07 enforcement records, Defendant was previously under court supervision for charges of invasion
08 of privacy, trespassing and assault. According to the Erie Police Department, the alleged prior
09 conduct involved the Defendant returning to an apartment where he had been previously
10 invited, being present in a bedroom where he knocked a female victim to the floor and put his
11 hand over her mouth to prevent her from alerting others in the apartment. Defendant complied
12 with the terms of his supervision, community service and restitution.

13 2. Defendant poses a risk of flight because he has no ties to this District and has
14 demonstrated his ability and willingness to travel interstate to commit the alleged crimes. He
15 also has access to significant funds in his savings account that could assist in flight. Defendant
16 is a danger to the community because of the nature of the charges, and that he has a prior
17 criminal history involving violence. Further, Defendant does not have a suitable release
18 address. The proposed release address has a high school within a half mile distance, a middle
19 school close by, and the home has children passing by in large numbers traveling to and from
20 school, to include a bus stop nearby. Defendant also poses a danger because of his access to
21 digital devices. During his interview with pretrial services, Defendant claimed that he had no
22 access to internet capable devices other than a smart tv because his phone had been seized by

01 law enforcement, but his mother stated that he possesses a laptop.

02 3. There does not appear to be any condition or combination of conditions that will
03 reasonably assure the defendant's appearance at future Court hearings while addressing the
04 danger to other persons or the community.

05 It is therefore ORDERED:

- 06 1. Defendant shall be detained pending trial, and committed to the custody of the Attorney
07 General for confinement in a correction facility separate, to the extent practicable, from
08 persons awaiting or serving sentences or being held in custody pending appeal;
- 09 2. Defendant shall be afforded reasonable opportunity for private consultation with
10 counsel;
- 11 3. On order of the United States or on request of an attorney for the Government, the person
12 in charge of the corrections facility in which defendant is confined shall deliver the
13 defendant to a United States Marshal for the purpose of an appearance in connection
14 with a court proceeding; and
- 15 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
16 for the defendant, to the United States Marshal, and to the United State Probation
17 Services Officer.

18 DATED this 9th day of June, 2021.

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S. KATE VAUGHAN
United States Magistrate Judge